



Mental Health Legislation Committee Key Issues Report

Board Date	28/05/2026		
Date of Committee	14/05/2026	Report of:	Mental Health Legislation Committee
Quoracy met:	Yes		
1	Agenda	The Mental Health Legislation Committee continues to meet quarterly. The Committee considered an agenda which is attached: Mental Health Legislation Capacity and Compliance Committee - Betsi Cadwaladr University Health Board	
2a	Alert	<p>The Mental Health Legislation Committee wishes to alert members of the Board that:</p> <ul style="list-style-type: none">• There is low and stable use of Section 136 powers in under-18s, and noted improving performance trends in Associate Hospital Manager hearings following recovery from earlier capacity issues.• Pressures associated with delayed discharge pathways and packages of care create potential risk to the appropriate and proportionate application of Mental Health Act powers across the system.• Continuing operational pressure related to Section 136 activity, including a high proportion of discharges with no mental disorder identified, was noted as a system concern.• Ongoing inter-agency dependencies, including variable local authority engagement, continue to contribute to delays outside the direct control of the Committee.	
2b	Assurance	<p>The Mental Health Legislation Committee wishes to assure members of the Board that:</p> <ul style="list-style-type: none">• Mental Health Act governance, monitoring and statutory reporting arrangements remain robust and compliant with legislative requirements.• Inspection findings, audit outcomes and issues identified through Associate Hospital Manager scrutiny are subject to active oversight and tracked action.• Work is ongoing to stabilise Mental Health Act workforce capacity and strengthen resilience within legal and administrative support functions.	
2c	Advise	The Mental Health Legislation Committee wishes to advise members of the Board that:	



		<ul style="list-style-type: none">• Had an interesting discussion of informal admissions from section 2 detentions and whether this was a positive or negative indicator.• Future assurance should continue to triangulate Mental Health Act activity with quality, safety and patient experience intelligence.
2d	Review of Risks	NA
2e	Sharing of learning	NA
3	Actions to be considered by the Quality Safety and Experience Committee	The Committee agreed that the emerging risk relating to delayed packages of care impacting the appropriate application of Mental Health Act powers should be escalated to the Quality, Safety & Experience Committee for system-level oversight.